

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
in Open Court  
USDC, Mass.  
Date 2/24/05  
By EL  
Deputy Clerk

UNITED STATES OF AMERICA )  
 )  
 V. )  
 ) No. 04-10372-WGY  
 )  
 Jess Siciliano, et al., )  
 )  
 Defendants )

## INITIAL STATUS CONFERENCE REPORT

The United States of America and the defendants, Jess Siciliano, Michael Arco and George Kandirakis a hereby submit this Initial Status Conference Report pursuant to Local Rule 116.5(A) (1) - (7).

LOCAL RULE 116.5(A)(1).

The parties agree there is no reason to grant relief from the otherwise applicable timing requirements imposed by L.R. 116.3.

LOCAL RULE 116.5 (A) (2) .

If the parties are unable to reach a stipulation regarding the drugs purchases and/or seized in this case, the government plans to offer expert testimony regarding those drugs. If it should be necessary for the government to call one or more experts with respect to these matters, the defendant will be promptly notified when those prospective expert witnesses are identified. The government will provide discovery as required by Fed. R. Crim. P. 16(a)(1)(E) no later than 30 days before trial.

The defendants will provide reciprocal discovery of any defense experts no later than 15 days before trial.

**LOCAL RULE 116.5(A)(2).**

At this time, the government does not anticipate providing any additional discovery as a result of future receipt of information, documents, or reports of examinations or tests, with the exception of any outstanding laboratory reports reflecting the results of tests performed on the substances bought or seized from the defendants. Those reports will be provided promptly upon receipt by the government.

The government notes that it has agreed to provide copies of taped conversations to defendants, and is in the process of preparing those tapes.

**LOCAL RULE 116.5(A)(4).**

The parties have not yet determined whether any motions are anticipated.

**LOCAL RULE 116.5(A)(5).**

The parties agree that the following time periods are subject to excludable delay:

1/13/05:	Arraignment
1/13/05 - 2/10/05	Excludable pursuant to LR 112.2
2/24/05 - date of next conference of next conf.	Parties agree to exclude in the interests of justice

**LOCAL RULE 116.5(A)(6).**

At this writing, defense counsel are engaged in reviewing discovery, and the parties cannot say yet whether a trial is anticipated.

**LOCAL RULE 116.5(A)(7).**

The parties request an interim status conference and ask that the time until that status conference be excluded in the interests of justice so as to allow defense counsel to review discovery and allow the parties to discuss the possibility of a resolution of the case short of trial. The parties request that the status conference be set at least 45 days from the receipt of the tapes, which the government anticipates will be delivered within two weeks.

Respectfully submitted,

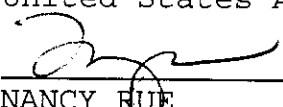
JESS SICILIANO

By:

  
JAMES E. MCCALL, ESQ.

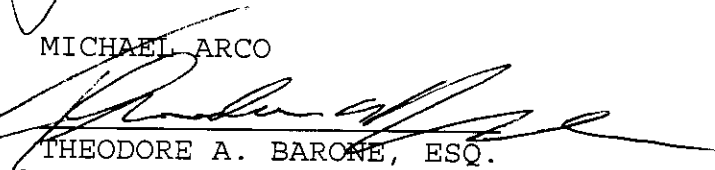
MICHAEL J. SULLIVAN  
United States Attorney

By:

  
NANCY RUE  
Assistant U.S. Attorney

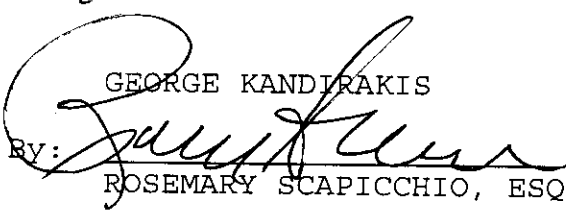
MICHAEL ARCO

By:

  
THEODORE A. BARONE, ESQ.

GEORGE KANDIRAKIS

By:

  
ROSEMARY SCAPICCHIO, ESQ.

Dated: February 24, 2005